

JUDGE BUCHWALD

UNITED STATES DISTRICT COURT

Southern

District of

New York

HIGHLAND PARK CDO I GRANTOR TRUST,
SERIES A

SUMMONS IN A CIVIL ACTION

v.

MATTHEW STUDER, FRED GRAFT, ERNIE
MALAS, and PETER CORATOLA,

CASE NUMBER: 08 CV 01670

TO: (Name and address of Defendant)

Ernie Malas
2481 Stonehaven Place
Columbus, OH 43220

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael Stolper
Orrick, Herrington & Sutcliffe LLP
666 Fifth Avenue
New York, NY 10103
212-506-5000

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Michael McMahon
MICHAEL McMAHON

FEB 20 2008

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE	February 22, 2008
NAME OF SERVER (PRINT)	TITLE	Law Clerk
Check one box below to indicate appropriate method of service		

Served personally upon the defendant. Place where served:

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

Returned unexecuted:

Other (specify): See Attached

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		\$0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 2/26/2008

2/26/2008
Signature of Server

Manhattan, New York
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

ORRICK, HERRINGTON & SUTCLIFFE LLP
666 Fifth Avenue
New York, New York 10103
Telephone: (212) 506-5000
Facsimile: (212) 506-5151

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HIGHLAND PARK CDO I GRANTOR
TRUST, SERIES A

Plaintiff,

v.

MATTHEW STUDER, FRED GRAFT, ERNIE
MALAS, and PETER CORATOLA,

Defendants.

STATE OF NEW YORK)
: ss.:
COUNTY OF NEW YORK)

Robinson Howard, being duly sworn, deposes and says:

1. I am over the age of 18 years and am not a party to this action, and am employed by Orrick, Herrington & Sutcliffe LLP.
2. On the 22nd day of February, 2008, I served by Certified Mail, Return Receipt Requested, a true copy of the Summons In A Civil Action, Complaint, Civil Cover Sheet, Rule 7.1 Statement, Individual Practice Rules of Judge Buchwald and Magistrate Judge Francis and Guidelines and Procedures for Electronic Case Filing upon the following:

Ernie Malas
2481 Stonehaven Place
Columbus, OH 43220

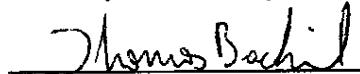
by placing the same in a sealed envelope postage prepaid, addressed to the above in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

3. Pursuant to the contract, attached as Exhibit C to the Complaint, Defendant Ernie Malas consents to service by Certified Mail. A copy of the Certified Mail Receipt is attached to this Affidavit of Service.



Robinson Howard

Sworn to before me this
26th day of February, 2008



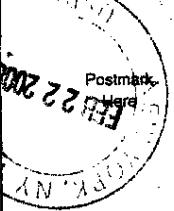
Notary Public

THOMAS BACKIEL
Notary Public, State of New York
No. 01BA6083754
Qualified in Queens County
Commission Expires Nov. 25, 2010

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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OFFICIAL USE

4732 4558 0002 0001 0710 2007	<input checked="" type="checkbox"/> Postage	\$ 5.30	
	<input checked="" type="checkbox"/> Certified Fee	2.65	
	<input checked="" type="checkbox"/> Return Receipt Fee (Endorsement Required)	2.15	
	<input checked="" type="checkbox"/> Restricted Delivery Fee (Endorsement Required)	0.00	
	Total Postage & Fees		\$ 10.10
			

2007	<p>Sent To <i>Ernie Markus</i></p> <p>Street, Apt. No.: <i>2161 Stenhouse Place</i></p> <p>City, State, ZIP+4 <i>Columbus OH 43220</i></p>
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PS Form 3800, August 2006 See Reverse for Instructions

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
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- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain *Return Receipt* service, please complete and attach a *Return Receipt* (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-8047